



U.S. Department of Justice

United States Attorney
Western District of New York
Federal Centre
138 Delaware Avenue
Buffalo, New York 14202

Financial Litigation Program | Asset Recovery Division
(716) 843-5700

January 3, 2022

Colleen Close

NOTICE

Re: United States v. Philip M. Close
Criminal Case No.: 6:20CR06135-001

Dear Ms. Close:

Please allow this to confirm our telephone conversation on December 2, 2021, wherein you confirmed that you are in possession of \$15,000.00 belonging to Mr. Close which you are maintaining in a separate bank account for him that you opened for that purpose, under your name. You further confirmed that no money has been withdrawn from said account, and that no money will be withdrawn from the account.

Please accept this letter as the government's formal notice of the restitution judgment against Philip M. Close for \$9,900.00, and that a lien has been filed against Mr. Close. A copy of said judgment is enclosed. 18 U.S.C. § 3613 imposes a lien in favor of the United States on all property and rights to property of Mr. Close, and all provisions of 18 U.S.C. § 3613 apply to the enforcement of an order of restitution. *See* 18 U.S.C. § 3613(f). Moreover, 18 U.S.C. § 3664(n) provides:

If a person obligated to provide restitution, or pay a fine, receives substantial resources from any source, including inheritance, settlement, or other judgment . . . such person shall be required to apply the value of such resources to any restitution or fine still owed.

As you know, Mr. Close recently filed an appeal regarding his criminal case. We will wait until his appeal has concluded before taking any further action to seize the \$15,000 being held. In the interim, we trust that you will continue to secure the \$15,000, until such time as the government informs you that it is no longer necessary.

If you have any questions, please contact me at 716-843-5856.

Very truly yours,

TRINI E. ROSS
United States Attorney

BY: */s/Kathleen Rieman*
Paralegal Specialist

Enc.

cc: Philip M. Close